

CHAPTER 335

CHILDREN AND DOMESTIC MATTERS

HOUSE BILL 21-1248

BY REPRESENTATIVE(S) Amabile, Bennett, Bird, Caraveo, Cutter, Duran, Exum, Froelich, Gonzales-Gutierrez, Hooton, Jackson, Kennedy, Lontine, McCluskie, McCormick, Michaelson Jenet, Mullica, Ortiz, Ricks, Sirota, Snyder, Titone, Valdez A., Valdez D., Young, Garnett, Gray, Herod;
also SENATOR(S) Story and Hisey, Bridges, Danielson, Ginal, Gonzales, Hansen, Kolker, Lee, Moreno, Pettersen, Priola, Winter, Zenzinger.

AN ACT

**CONCERNING UPDATING THE PROVISIONS OF THE "COLORADO CHILDREN'S TRUST FUND ACT",
AND, IN CONNECTION THEREWITH, MAKING AN APPROPRIATION.**

Be it enacted by the General Assembly of the State of Colorado:

SECTION 1. In Colorado Revised Statutes, **amend with relocated provisions** article 3.5 of title 19 as follows:

ARTICLE 3.5
Colorado Child Abuse Prevention Trust Fund Act

19-3.5-101. Short title. ~~This article shall be known and may be cited as the "Colorado Children's Trust Fund Act"~~ THE SHORT TITLE OF THIS ARTICLE 3.5 IS THE "COLORADO CHILD ABUSE PREVENTION TRUST FUND ACT".

19-3.5-102. Legislative declaration. (1) The general assembly hereby finds that:

(a) Child abuse and neglect are a threat to the family unit and impose major expenses on society; ~~The general assembly further finds that~~

(b) There is a need to assist private and public agencies in identifying, planning, and establishing statewide programs for the prevention of child abuse and neglect;
AND

(c) THE TYPES OF TRAUMA EXPERIENCED BY CHILDREN WHO ARE UNDER EIGHTEEN YEARS OF AGE INCLUDE CHILDHOOD EMOTIONAL, PHYSICAL, AND SEXUAL

Capital letters or bold & italic numbers indicate new material added to existing law; dashes through words or numbers indicate deletions from existing law and such material is not part of the act.

ABUSE; EMOTIONAL AND PHYSICAL NEGLECT; HOUSING INSECURITY AND POVERTY; AND HOUSEHOLD CHALLENGES, INCLUDING GROWING UP IN A HOUSEHOLD WITH SUBSTANCE ABUSE, MENTAL HEALTH DISORDERS, VIOLENCE, OR PARENTAL INCARCERATION. ADVERSE CHILDHOOD EXPERIENCES SUCH AS THESE HAVE BEEN SHOWN TO HAVE A LIFELONG IMPACT ON HEALTH, BEHAVIOR, AND AGE OF MORTALITY.

(2) It is the purpose of this ~~article~~ ARTICLE 3.5 to promote primary and secondary prevention ~~and education~~ programs that are designed to PREVENT CHILD TRAUMA AND MALTREATMENT BEFORE IT OCCURS, lessen the occurrence of child abuse and neglect, and to MITIGATE THE IMPACTS OF ADVERSE CHILDHOOD EXPERIENCES TO reduce the need for state intervention ~~in child abuse and neglect prevention and education~~ THROUGH CHILD WELFARE ACTIONS AND ECONOMIC SUPPORT FOR FAMILIES EXPERIENCING POVERTY.

19-3.5-103. Definitions. (Repealed) [Formerly 19-3.5-104] Colorado child abuse prevention board - creation - members - terms - vacancies. (1) ~~(a) There is hereby created, in the department of public health and environment, the Colorado children's trust fund board. The board shall exercise its powers and duties as if transferred by a type 2 transfer.~~

~~(b) The Colorado children's trust fund~~ CHILD ABUSE PREVENTION board, REFERRED TO IN THIS ARTICLE 3.5 AS THE "BOARD", is transferred to the department of human services FROM THE DEPARTMENT OF PUBLIC HEALTH AND ENVIRONMENT. The board shall exercise its powers and duties as if transferred by a **type 2** transfer. Persons appointed to the ~~Colorado children's trust fund board~~ shall continue serving until completion of their terms and may be reappointed as provided in this section.

(2) The board consists of ~~nine~~ SEVENTEEN members, WITH A CONSIDERATION FOR GEOGRAPHIC DIVERSITY, as follows:

~~(a) The executive director of the department of human services or his designee;~~ ONE PERSON FROM THE DEPARTMENT OF HUMAN SERVICES' DIVISION OF CHILD WELFARE, APPOINTED BY THE EXECUTIVE DIRECTOR OF THE DEPARTMENT OF HUMAN SERVICES;

~~(a.5)~~ (b) The executive director of the department of public health and environment or ~~such~~ THE EXECUTIVE director's designee;

~~(b)~~ (c) The commissioner of education or ~~his~~ THE COMMISSIONER'S designee; ~~and~~

~~(c)~~ (d) ~~Six~~ TWO persons appointed by the governor and confirmed by the senate ~~five of whom shall be~~ WHO ARE knowledgeable in the area of child abuse prevention and represent some of the following areas: Law enforcement, medicine, law, business, PUBLIC POLICY, mental health, ~~domestic relations; child abuse prevention; education;~~ INTIMATE PARTNER VIOLENCE, EARLY CHILDHOOD EDUCATION, K-12 EDUCATION, REDUCING POVERTY AND HELPING FAMILIES GAIN ECONOMIC STABILITY, THE CONNECTION BETWEEN HOUSING INSTABILITY AND TRAUMA, HIGHER EDUCATION, RESEARCH AND PROGRAM EVALUATION, and social work. ~~and one who is a parent or a representative of a parent organization.~~ In making appointments to the board, the governor is encouraged to include representation by at least one

member who is a person with a disability, as defined in section 24-34-301 (2.5), a family member of a person with a disability, or a member of an advocacy group for persons with disabilities, ~~provided that~~ SO LONG AS the other requirements of this ~~subsection (2)(e)~~ SUBSECTION (2)(d) are met.

(e) THE EXECUTIVE DIRECTOR OF THE DEPARTMENT OF HEALTH CARE POLICY AND FINANCING OR THE EXECUTIVE DIRECTOR'S DESIGNEE;

(f) THE EXECUTIVE DIRECTOR OF THE DEPARTMENT OF LOCAL AFFAIRS OR THE EXECUTIVE DIRECTOR'S DESIGNEE;

(g) THE CHILD PROTECTION OMBUDSMAN, AS APPOINTED PURSUANT TO SECTION 19-3.3-102;

(h) FOUR APPOINTEES WHO REPRESENT COUNTY LEADERSHIP, AS EITHER A COUNTY COMMISSIONER OR A DIRECTOR OF PUBLIC HEALTH OR OF HUMAN OR SOCIAL SERVICES, AS DESIGNATED BY STATEWIDE ORGANIZATIONS REPRESENTING COUNTY COMMISSIONERS, HUMAN SERVICES DIRECTORS, AND PUBLIC HEALTH OFFICIALS, THREE OF WHOM MUST HAVE EXPERTISE IN HUMAN SERVICES OR CHILD WELFARE PRACTICE;

(i) THREE MEMBERS APPOINTED BY THE EXECUTIVE DIRECTOR OF THE DEPARTMENT OF HUMAN SERVICES. SUCH APPOINTEES MUST BE COMMUNITY MEMBERS WITH LIVED EXPERIENCE THAT CAN INCLUDE CHILDHOOD HISTORY OF ADVERSE CHILDHOOD EXPERIENCES OR EXPERIENCE PARTICIPATING IN PREVENTION, PARENTING, OR FAMILY STRENGTHENING PROGRAMS. ONE OF THE THREE APPOINTEES MUST BE A PARENT.

(j) ONE MEMBER WHO IS A MEMBER OF THE SENATE AND WHO IS APPOINTED BY THE PRESIDENT OF THE SENATE AND ONE MEMBER WHO IS A MEMBER OF THE HOUSE OF REPRESENTATIVES AND WHO IS APPOINTED BY THE SPEAKER OF THE HOUSE OF REPRESENTATIVES.

(3) (a) Each appointed member of the board ~~shall serve for~~ SERVES a term of three years. ~~except that the original members appointed by the governor shall serve staggered terms not to exceed three years. to be decided by the board.~~

(b) THE ORIGINAL APPOINTING ENTITY SHALL FILL a vacancy on the board ~~shall be filled~~ for the balance of the BOARD MEMBER'S unexpired term.

(c) A BOARD MEMBER, WHETHER ORIGINAL OR OTHERWISE, MAY NOT SERVE MORE THAN TWO CONSECUTIVE TERMS.

(4) The board shall meet regularly and ~~shall~~ adopt its own rules of procedure.

(5) EXCEPT AS PROVIDED IN SECTION 2-2-326, members ~~shall~~ serve without compensation but ~~shall be~~ ARE entitled to reimbursement for actual and necessary expenses incurred in the performance of their duties.

19-3.5-104. [Formerly 19-3.5-105] Powers and duties of the board. (1) The board has the following powers and duties:

~~(a) To provide for the coordination and exchange of information on the establishment and maintenance of primary and secondary prevention programs To ADVISE AND MAKE RECOMMENDATIONS TO THE GOVERNOR, STATE AGENCIES, AND OTHER RELEVANT ENTITIES CONCERNING THE IMPLEMENTATION OF AND FUTURE REVISIONS TO ANY STATE PLAN DEVELOPED TO PREVENT CHILD MALTREATMENT;~~

~~(b) To develop and publicize criteria regarding grants from the trust fund, including the duration of grants and any requirements for matching funds which are received from the trust fund; To DEVELOP STRATEGIES AND MONITOR EFFORTS TO ACHIEVE:~~

~~(I) INCREASES IN CHILD WELL-BEING AND ACHIEVEMENT;~~

~~(II) INCREASES IN CAREGIVER WELL-BEING AND ACHIEVEMENT;~~

~~(III) INCREASES IN CONSISTENT HIGH-QUALITY CAREGIVING;~~

~~(IV) INCREASES IN SAFE, SUPPORTIVE NEIGHBORHOODS AND COMMUNITIES; AND~~

~~(V) DECREASES IN THE INCIDENCE OF CHILD MALTREATMENT AND CHILD MALTREATMENT FATALITIES;~~

~~(c) To review and monitor the expenditure of moneys by recipients To ASSIST PUBLIC AND PRIVATE AGENCIES IN COORDINATING EFFORTS ON BEHALF OF FAMILIES, INCLUDING SECURING FUNDING AND ADDITIONAL INVESTMENTS FOR SERVICES AND PROGRAMS, AND IMPROVING ACCESS TO THESE SERVICES FOR CHILDREN AND THEIR FAMILIES;~~

~~(d) Repealed.~~

~~(e) (d) To accept grants from the federal government as well as to solicit and accept contributions, grants, gifts, bequests, and donations from individuals, private organizations, and foundations To PROVIDE FOR THE COORDINATION AND EXCHANGE OF INFORMATION CONCERNING THE ESTABLISHMENT AND MAINTENANCE OF PRIMARY AND SECONDARY PREVENTION PROGRAMS AND TO FACILITATE THE EXCHANGE OF INFORMATION BETWEEN GROUPS CONCERNED WITH CHILD MALTREATMENT;~~

~~(f) (f) (e) (I) To expend moneys of the trust fund for the establishment, promotion, and maintenance of primary and secondary prevention programs, including pilot programs, for programs to prevent and reduce the occurrence of prenatal drug exposure, and for operational expenses of the board; To IDENTIFY OPPORTUNITIES FOR, AND BARRIERS TO, THE ALIGNMENT OF STANDARDS, RULES, POLICIES, AND PROCEDURES ACROSS PROGRAMS AND AGENCIES THAT SUPPORT FAMILIES. THE BOARD SHALL SUBMIT RECOMMENDATIONS DEVELOPED PURSUANT TO THIS SUBSECTION (1)(e)(I) TO THE DEPARTMENT OF HUMAN SERVICES, WHICH SHALL THEN INCLUDE SUCH RECOMMENDATIONS AS PART OF ITS PRESENTATION TO ITS COMMITTEE OF REFERENCE AT A HEARING HELD PURSUANT TO SECTION 2-7-203 (2)(a) OF THE "STATE MEASUREMENT FOR ACCOUNTABLE, RESPONSIVE, AND TRANSPARENT (SMART) GOVERNMENT ACT" IN JANUARY 2022.~~

~~(II) THE BOARD SHALL ALSO PROVIDE ONGOING RECOMMENDATIONS ON CHANGES~~

TO ENHANCE THE ALIGNMENT AND PROVISION OF SERVICES AND SUPPORTS FOR FAMILIES TO PREVENT CHILD TRAUMA AND MALTREATMENT TO APPROPRIATE GOVERNMENT AND NONPROFIT AGENCIES AND POLICY BOARDS.

~~(f.5) To expend the money of the trust fund for the development, promotion, maintenance, and monitoring of an evidence-based or research-based child sexual abuse prevention training model to prevent and reduce the occurrence of child sexual abuse. The training model must be available to persons who interact with young children, including but not limited to parents, child care providers, librarians, church staff and volunteers, medical professionals, family resource centers staff, and other mandatory reporters of child abuse and neglect.~~

~~(g) (f) To sue and be sued as a board without individual liability for acts of the board~~ TO COLLABORATE WITH OTHER RELEVANT BOARDS, COMMISSIONS, AND COUNCILS THAT EXIST WITHIN THE EXECUTIVE BRANCH TO ADDRESS SERVICES AND SUPPORTS FOR FAMILIES;

~~(h) (g) To exercise any other powers or perform any other duties which are consistent with the purposes for which the board was created and which are reasonably necessary for the fulfillment of the board's responsibilities.~~ TO PROMOTE ACADEMIC RESEARCH ON THE EFFICACY AND COST-EFFECTIVENESS OF CHILD MALTREATMENT PREVENTION INITIATIVES;

~~(i) and (j) Repealed.~~

(h) TO DISTRIBUTE MONEY AND MAKE GRANT AWARDS FROM THE COLORADO CHILD ABUSE PREVENTION TRUST FUND, CREATED IN SECTION 19-3.5-105, IN ACCORDANCE WITH SECTION 19-3.5-106 AND FOR:

(I) THE ESTABLISHMENT, PROMOTION, AND MAINTENANCE OF PRIMARY AND SECONDARY CHILD MALTREATMENT PREVENTION PROGRAMS, INCLUDING PILOT PROGRAMS OR SERVICES IDENTIFIED IN THE FEDERAL TITLE IV-E PREVENTION SERVICES CLEARINGHOUSE AND PROGRAMS THAT ARE UNDER EVALUATION FOR PURPOSES OF PETITIONING THE FEDERAL GOVERNMENT FOR INCLUSION IN THE FEDERAL TITLE IV-E PREVENTION SERVICES CLEARINGHOUSE;

(II) PROGRAMS TO PREVENT CHILD SEXUAL ABUSE;

(III) PROGRAMS TO REDUCE THE OCCURRENCE OF PRENATAL SUBSTANCE EXPOSURE;

(IV) PROGRAMS TO REDUCE THE OCCURRENCE OF OTHER ADVERSE CHILDHOOD EXPERIENCES;

(V) PROGRAMS TO REDUCE POVERTY OR HELP FAMILIES GET OUT OF POVERTY;

(VI) PROGRAMS TO CREATE HOUSING STABILITY; AND

(VII) OPERATIONAL EXPENSES OF THE BOARD, INCLUDING ALLOWABLE EXPENSES PURSUANT TO SECTION 19-3.5-103 (5);

(i) TO ACCEPT GRANTS FROM THE FEDERAL GOVERNMENT, AS WELL AS TO SOLICIT AND ACCEPT CONTRIBUTIONS, GRANTS, GIFTS, BEQUESTS, AND DONATIONS FROM INDIVIDUALS, PRIVATE ORGANIZATIONS, AND FOUNDATIONS; AND

(j) TO EXERCISE OR PERFORM ANY OTHER POWERS OR DUTIES CONSISTENT WITH THE PURPOSES FOR WHICH THE BOARD WAS CREATED AND THAT ARE REASONABLY NECESSARY FOR THE FULFILLMENT OF THE BOARD'S RESPONSIBILITIES AS SET FORTH IN THIS SECTION.

19-3.5-105. [Formerly 19-3.5-106] Colorado child abuse prevention trust fund - creation - source of funds. (1) There is hereby created in the state treasury the Colorado ~~children's~~ CHILD ABUSE PREVENTION trust fund, ~~which shall be administered by the board and which shall consist of~~ REFERRED TO IN THIS ARTICLE 3.5 AS THE "TRUST FUND". THE BOARD SHALL ADMINISTER THE TRUST FUND, WHICH CONSISTS OF:

(a) ~~All moneys which shall be~~ MONEY transferred ~~thereto~~ INTO THE TRUST FUND in accordance with section 13-32-101 (5)(a)(I); ~~C.R.S.; and~~

(b) ~~All moneys~~ MONEY collected by the board pursuant to ~~section 19-3.5-105 (1)(e)~~ SECTION 19-3.5-104 (1)(i) from federal grants and other contributions, grants, gifts, bequests, AND donations. ~~and any moneys appropriated thereto by the state. Such moneys shall~~ MONEY MUST be transmitted to the state treasurer, ~~for credit~~ WHO SHALL CREDIT THE MONEY to the trust fund; AND

(c) ANY MONEY APPROPRIATED TO THE TRUST FUND BY THE STATE; AND

(d) REIMBURSEMENT MONEY RECEIVED FOR PREVENTION SERVICES AND PROGRAMS IDENTIFIED IN THE FEDERAL TITLE IV-E CLEARINGHOUSE PURSUANT TO THE FEDERAL "FAMILY FIRST PREVENTION SERVICES ACT OF 2018". BEGINNING JULY 1, 2021, THE STATE DEPARTMENT SHALL TRANSMIT FEDERAL TITLE IV-E REIMBURSEMENTS FOR PREVENTION SERVICES TO THE STATE TREASURER WHO SHALL CREDIT THE REIMBURSEMENTS TO THE TRUST FUND.

(2) THE TRUST FUND SHALL CLAIM FEDERAL TITLE IV-E REIMBURSEMENT FOR ALL ELIGIBLE GRANTS FOR PREVENTION SERVICES ON THE FEDERAL TITLE IV-E PREVENTION SERVICES CLEARINGHOUSE.

~~(2)~~ (3) ~~All moneys~~ MONEY in the fund ~~shall be~~ IS subject to annual appropriation by the general assembly. Any ~~moneys not appropriated shall remain~~ MONEY REMAINING in the fund ~~and shall~~ MUST not be transferred to or revert to the general fund of the state at the end of any fiscal year. Any interest earned on the investment or deposit of ~~moneys~~ MONEY in the fund ~~shall~~ MUST also remain in the fund and ~~shall~~ MUST not be credited to the general fund of the state.

~~(3) Repealed.~~

19-3.5-106. [Formerly 19-3.5-107] Disbursement of grants from the trust fund - restrictions. (1) Grants may be awarded to provide money for the start-up, continuance, or expansion of primary or secondary prevention programs, including pilot programs and ~~home visitation programs, to provide educational and public~~

~~informational seminars~~ EDUCATIONAL PROGRAMS FOR PROFESSIONALS AND THE PUBLIC, and to study and evaluate primary and secondary prevention programs. ~~pilot programs, and home visitation programs.~~ In addition, grants may be awarded for programs to prevent and reduce the occurrence of prenatal ~~drug~~ SUBSTANCE exposure and an evidence-based or research-based child sexual abuse prevention training model to prevent and reduce the occurrence of child sexual abuse.

(2) THE DISTRIBUTION OF MONEY CREDITED TO THE TRUST FUND BY REIMBURSEMENT FOR PREVENTION SERVICES AND PROGRAMS IDENTIFIED IN THE FEDERAL TITLE IV-E PREVENTION SERVICES CLEARINGHOUSE MUST FUND PROGRAMS AND SERVICES THAT ALIGN WITH THE STATE'S PREVENTION STRATEGY, PURSUANT TO THE FEDERAL "FAMILY FIRST PREVENTION SERVICES ACT OF 2018", INCLUDING CONSIDERATION OF VARIABLE NEEDS AND RESOURCES ACROSS THE STATE AND DATA-DRIVEN APPROACHES, AND BE INFORMED BY THE STATE DEPARTMENT IN CONSULTATION WITH COUNTY DEPARTMENTS AND OTHER ENTITIES THAT DELIVER THE ELIGIBLE SERVICES OR PROGRAMS. ELIGIBLE SERVICES OR PROGRAMS MAY INCLUDE THOSE UNDER EVALUATION FOR THE PURPOSES OF PETITIONING THE FEDERAL GOVERNMENT FOR INCLUSION IN THE FEDERAL TITLE IV-E PREVENTION SERVICES CLEARINGHOUSE; EXCEPT THAT, IF THE SERVICE OR PROGRAM AT THE TIME OF FEDERAL REVIEW IS RATED TO NOT MEET CRITERIA FOR INCLUSION IN THE FEDERAL TITLE IV-E PREVENTION SERVICES CLEARINGHOUSE, MONEY CREDITED TO THE TRUST FUND BY REIMBURSEMENT FOR PREVENTION SERVICES MUST NOT BE ALLOCATED FOR THAT PURPOSE IN THE NEXT FISCAL YEAR, UNLESS THERE IS AN EVALUATION OF THE SERVICE OR PROGRAM ALREADY UNDERWAY THAT WILL BUILD SUBSTANTIAL NEW EVIDENCE THAT HAS THE POTENTIAL TO CHANGE THE SERVICE OR PROGRAM RATING, OR THE SERVICE OR PROGRAM HAS BEEN SUBMITTED TO THE FEDERAL CLEARINGHOUSE FOR RE-REVIEW.

~~(2)~~ (3) The board ~~shall have~~ HAS discretion ~~in determining the amount of money to be awarded under each grant, except that:~~ TO OVERSEE THE DISBURSEMENT OF MONEY FROM THE TRUST FUND TO ENSURE ITS APPROPRIATE USE AND MAKE RECOMMENDATIONS FOR THE TOTAL GRANT AMOUNT TO BE AWARDED EACH YEAR.

~~(a) Until the total amount of assets in the trust fund exceeds five million dollars, not more than seventy-five percent of the moneys credited to the trust fund each year pursuant to section 13-32-101 (5)(a)(I), C.R.S., plus any interest credited thereon to the trust fund during the previous year shall be available for disbursement or expenditure by the board; however, any other moneys deposited or maintained in the fund may be disbursed by the board pursuant to the provisions of this article in accordance with an appropriation from the fund made by the general assembly;~~

~~(b) After such time that the state treasurer certifies that the assets in the trust fund exceed five million dollars, no further moneys shall be collected for the trust fund pursuant to section 13-32-101 (5)(a)(I), C.R.S.; however, nothing in this paragraph (b) shall be construed to prohibit the continued collection of moneys for the trust fund pursuant to section 19-3.5-105 (1)(e);~~

~~(c) After such time that the state treasurer certifies that the assets in the trust fund exceed five million dollars, only the interest credited to the trust fund, together with any moneys collected for such fund pursuant to section 19-3.5-105 (1)(e), shall be available for disbursement or expenditure by the board.~~

~~(3) (4) Any grant or moneys received by the board and credited to the trust fund pursuant to section 19-3.5-106 (1)(b) shall not be subject to the disbursement restriction of paragraph (a) of subsection (2) of this section~~ THE BOARD SHALL NOT AUTHORIZE ANY GRANT AWARDS PURSUANT TO SUBSECTION (1) OF THIS SECTION FOR POLITICAL, ELECTION, OR LOBBYING PURPOSES.

~~19-3.5-108. Repeal of article. (Repealed)~~

19-3.5-107. [Formerly 19-3.5-109] Report - repeal of article. (1) The department of human services shall contract for an independent evaluation of the trust fund, including administrative costs of operating the trust fund and the cost-effectiveness and the impact of the grants on reducing and preventing child abuse. THE DEPARTMENT OF HUMAN SERVICES SHALL PROVIDE a report of the evaluation ~~shall be provided to the house OF REPRESENTATIVES and senate health and human services committees, or any successor committees, by November 1, 2011, and by November 1, 2021~~ ON OR BEFORE NOVEMBER 1, 2026.

(2) This ~~article~~ ARTICLE 3.5 is repealed, effective ~~July 1, 2022~~ JULY 1, 2027.

SECTION 2. In Colorado Revised Statutes, 13-32-101, **amend** (5)(a) introductory portion and (5)(a)(I) as follows:

13-32-101. Docket fees in civil actions - judicial stabilization cash fund - justice center cash fund - justice center maintenance fund - created - legislative declaration - report. (5) (a) Each fee collected pursuant to ~~paragraph (a) or (a.5) of subsection (1)~~ SUBSECTION (1)(a) OR (1)(a.5) of this section ~~shall~~ MUST be transmitted to the state treasurer and divided as follows:

(I) Fifteen dollars ~~shall~~ MUST be deposited in the Colorado ~~children's~~ CHILD ABUSE PREVENTION trust fund created in ~~section 19-3.5-106, C.R.S.~~ SECTION 19-3.5-105;

SECTION 3. In Colorado Revised Statutes, 19-1-103, **amend** (16), (91), and (110) as follows:

19-1-103. Definitions. As used in this title 19 or in the specified portion of this title 19, unless the context otherwise requires:

(16) "Board", as used in article 3.5 of this ~~title~~ TITLE 19, means the Colorado ~~children's trust fund~~ CHILD ABUSE PREVENTION board created in ~~section 19-3.5-104~~ SECTION 19-3.5-103.

(91) "Recipient", as used in article 3.5 of this ~~title~~ TITLE 19, means and is limited to a nonprofit or public organization that receives a grant from the trust fund created in ~~section 19-3.5-106~~ SECTION 19-3.5-105.

(110) "Trust fund", as used in article 3.5 of this ~~title~~ TITLE 19, means the Colorado ~~children's~~ CHILD ABUSE PREVENTION trust fund created in ~~section 19-3.5-106~~ SECTION 19-3.5-105.

SECTION 4. In Colorado Revised Statutes, 24-1-120, **amend** (10) as follows:

24-1-120. Department of human services - creation. (10) The powers, duties, and functions of the Colorado children's trust fund CHILD ABUSE PREVENTION board, created in ~~section 19-3.5-104, C.R.S.~~ SECTION 19-3.5-103, are transferred by a **type 2** transfer to the department of human services.

SECTION 5. Appropriation. For the 2021-22 state fiscal year, \$890 is appropriated to the legislative department for use by the general assembly. This appropriation is from the general fund. To implement this act, the general assembly may use this appropriation for legislator per diem.

SECTION 6. Act subject to petition - effective date. This act takes effect at 12:01 a.m. on the day following the expiration of the ninety-day period after final adjournment of the general assembly; except that, if a referendum petition is filed pursuant to section 1 (3) of article V of the state constitution against this act or an item, section, or part of this act within such period, then the act, item, section, or part will not take effect unless approved by the people at the general election to be held in November 2022 and, in such case, will take effect on the date of the official declaration of the vote thereon by the governor.

Approved: June 24, 2021